

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-01776 (JRT/HB)

This Document Relates To:
ALL ACTIONS

**ORDER GRANTING CLASS PLAINTIFFS' UNOPPOSED MOTION FOR AN
ORDER PERMITTING PRODUCTION OF DOCUMENTS
BY THIRD PARTY COMPEER FINANCIAL, ACA**

This matter came before this Court on June 15, 2021, on Direct Purchaser Plaintiffs, Commercial and Institutional Indirect Purchaser Plaintiffs, and Consumer Indirect Purchaser Plaintiffs' (collectively, "Class Plaintiffs") Unopposed Motion for an Order Permitting Production of Documents by Third Party Compeer Financial, ACA.

Federal Rule of Civil Procedure 26(b)(1) allows a party to "obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case . . . [and] [i]nformation within this scope of discovery need not be admissible in evidence to be discoverable." Fed. R. Civ. P. 26(b)(1). Federal Rule of Civil Procedure 45(a) allows the issuance of subpoenas for production of documents in a non-party's custody or control.

Compeer notified Class Plaintiffs that pursuant to the Farm Credit Act, 12 U.S.C. §§ 2001 *et seq.*, and corresponding regulations, *see, e.g.*, 12 C.F.R. §§ 618.8300–.8330, it requires a court order signed by a judge in order to produce certain documents responsive to the subpoena requests. Class Plaintiffs and Compeer have met and conferred on

categories of documents and an accompanying document custodian to narrow the information to be produced in response to the subpoena. Class Plaintiffs reserve their right to make narrow requests for additional documents that may result from Compeer's production, and Compeer reserves its right to object to such requests. In the event Compeer objects to Class Plaintiffs' requests for additional documents, Class Plaintiffs and Compeer agree to meet and confer in good faith about the requests.

Pursuant to the agreement between Class Plaintiffs and Compeer, 12 C.F.R. § 618.8330(b), and Federal Rules of Civil Procedure 26 and 45, and subject to this Order,

IT IS HEREBY ORDERED THAT:

1. Compeer is permitted to produce nonprivileged, responsive documents in accordance with the agreement between Class Plaintiffs and Compeer within sixty (60) days of entry of this Order.

IT IS SO ORDERED.

DATED: June 16, 2021

s/Hildy Bowbeer

HILDY BOWBEER

United States Magistrate Judge